

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2019-63-C

IN RE:

Application of Comcast Phone of South	)	
Carolina, Incorporated for an Amended	)	
Certificate of Public Convenience and	)	<b>MOTION TO APPROVE APPLICATION</b>
Necessity to Provide Local Exchange	)	<b>WITHOUT A HEARING AND</b>
and Interexchange Telecommunications	)	<b>REQUEST THAT HEARING DATE</b>
Services in the Service Area of Home	)	<b>AND FILING DEADLINES BE HELD IN</b>
Telephone Company, Incorporated, for	)	<b>ABEYANCE</b>
Flexible Rate Structure for Local	)	
Exchange Service Offerings, and for	)	
Alternative Regulation	)	
_____	)	

Pursuant to S.C. Code Ann. § 58-9-520, S.C. Code Ann. Regs. 103-604, 103-825, and other applicable Commission rules and regulations, Comcast Phone of South Carolina, Inc. (“Comcast Phone”) moves that the Public Service Commission of South Carolina (the “Commission”) approve its application in the above-referenced proceeding without a hearing and that it hold the hearing date and testimony filing deadlines for all parties in abeyance pending resolution of this motion. In support of its motion, Comcast Phone would show the following:

1. Counsel for Comcast Phone has conferred with counsel for the South Carolina Office of Regulatory Staff and with Home Telephone Company, Inc., d/b/a Home Telecom (“Home Telecom”), the only intervenor in this matter, and has been authorized to represent that these parties do not oppose the relief requested in this motion.

2. Comcast Phone’s Certificate of Public Convenience and Necessity (“Certificate”) to provide local exchange and interexchange telecommunications services was approved by this

Commission in Order Nos. 1998-409 and 2004-604 in Docket No. 1998-54-C; alternative regulation was approved for the company in Docket No. 1995-661-C. The Commission also approved an amendment of the Certificate in Docket No. 2005-303-C.

3. On February 7, 2019 in the above-referenced docket, Comcast Phone filed an application principally seeking approval to amend its Certificate so that it may provide local exchange and interexchange telecommunications services in communities immediately north of Charleston, in local exchanges served by Home Telecom.

4. On March 12, 2019, Home Telecom filed a petition to intervene in this proceeding, and the Commission granted that petition on March 27, 2019. The deadline to intervene in this proceeding was March 28, 2019, and no other party has filed a petition to intervene.

5. On March 29, 2019, Comcast Phone and Home Telecom entered into a stipulation providing, among other things, that Home Telecom does not oppose Comcast Phone's requested territorial expansion and that Comcast Phone agrees that it is not seeking to terminate Home Telecom's rural exemption under 47 U.S.C. § 251(f)(1).

6. S.C. Code Ann. Regs. 103-604 provides that "[e]ach telephone utility shall provide regulated service only within the areas authorized by the commission, *unless exempt by commission action, order or statute.*" (Emphasis added.) Further, S.C. Code Ann. § 58-9-520 provides that "a hearing shall not be required when the proposed rate or tariff is a proposal to institute or modify an offering or regulation that is not part of a general rate case and does not affect the telephone utility's general body of subscribers."

7. In this case, Comcast Phone seeks to amend its Certificate so that it may offer its services within a modestly expanded territory. Consistent with S.C. Code Ann. § 58-9-520, Comcast Phone's proposal in this case to modify its offerings is not part of a general rate case, and

will not affect the utility's general body of subscribers. Moreover, the only intervenor in this proceeding, Home Telecom, has stipulated to and does not oppose the requested Certificate amendment.

8. In the interest of judicial economy and efficiency, and in light of the stipulation of the parties and the discretion of the Commission to authorize the requested amendment without a hearing, Comcast Phone respectfully moves that its application be approved without the need for a hearing.

9. For the reasons set forth above, Comcast Phone respectfully requests that the Commission approve its application in the above-referenced proceeding without a hearing and that it hold the hearing date and testimony filing deadlines for all parties in abeyance pending the resolution of this request.

Respectfully submitted,

s/Samuel J. Wellborn

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Dated: April 3, 2019